Plaintiff

Tetyana Nazaruk

274 w 200s apt.43

Salt Lake City, Utah, 84101, USA

FILED
U.S DISTRICT COURT
2006 JUN 15 A 10: 22
DISTRICT OF UTAH
BY: DEPUTY CLERK

United States District Court
District of Utah, central division

Tetyana Nazaruk, Plaintiff
v.
Ebay Inc, Defendant
Ace coins, Defendant

Memorandum in support of plaintiff's complaint and motion on/for court hearing

Case No.2:06CV00242

The Honorable Dale A. Kimball

Plaintiff Tetyana Nazaruk ("Plaintiff") submits this memorandum of points and *authorities in support of her complaint and motion on/for court hearing.*
Plaintiff received Motion and Memorandum from EBay inc. ("Defendant") on June 13, 2006.
Plaintiff would like to stress, that Defendant's arguments aren't based on documents of this case.

INTRODUCTION

This case should be resolved in United States District Court for the District of Utah, central division, based on the following:
1) The plaintiff would like to stress about civil rights case, which is based on plaintiff's complaint. According to Constitution of United States of America ethnic, racial, sexual and religious rights are civil rights. It means this case should be resolved by District of Utah, central division upon Section 1985. Plaintiff is resident of Utah. Federal Law protects her civil rights.
Defendant ignored the Constitution of United States of America and discriminated against plaintiff. According to Constitution of United States of America ethnic, racial, sexual, religious discriminations are federal crimes, which can be heard and resolved by Federal court, based on Federal Law.

Dockets.Justia.com

2) There are 3 defendants in this civil rights case. Plaintiff asked EBay inc. about third defendant's address Robert Baganz, but didn't get info from EBay inc. Plaintiff expects to find his address during court hearing.
All defendants are located in 3 different states of USA. Plaintiff believes the court should not give an advantage to this defendant (EBay inc.) by resolving this case in California.
This civil rights case should be resolved in Utah according to Federal Law.
3) Plaintiff would like to stress, that civil rights case cannot be resolved through litigation in Santa Clara County, California under User Agreement, which defendant mentioned in its Memorandum. This User Agreement doesn't specify the venue for civil rights cases.
This User Agreement was connected with another category of cases. This civil rights case should be resolved by District of Utah, central division.
Plaintiff would like to stress, that defendant (EBay inc.) broke User Agreement without plaintiff's permission, when EBay turned out the Plaintiff of EBay's website. EBay inc. demonstrated its support of Ace coins (second Defendant) for ethnic discrimination against Plaintiff. This User Agreement is invalid now, that's why Defendant cannot mention it and demand California court hearing.
Defendant tries to change a subject of this case. He tries to put ex-User Agreement above Federal Law. He put a lot of remarks, which aren't based on documents of this civil rights case.

FACTUAL SUMMARY

Declaration of Allyson Willoughby cannot be accepted, because court didn't find a person, who protected interests of Ace coins upon its e-mail to Plaintiff (see attachment #2). This EBay's person contacts Ace coins personally. Plaintiff hopes to find a name of this person during court hearing. Ace coins wrote about their relations, based on financial profits, when Ace coins "makes them (EBay inc.) thousands of dollars a month".
Plaintiff would like to stress about e-mail contact with EBay inc. February 26, 2006 Plaintiff notified EBay about national discrimination from Ace coins (second Defendant). EBay inc. shared and supported national discrimination policy of its power sellers (Ace coins and Robert Baganz) by cancellation of Plaintiff's user name and feedbacks same day (see attachment #3,4). It shows the primarily agreement (collusion) and cooperation in national discrimination issue between EBay inc. and Ace coins, Robert Baganz. Based on defendants' e-mails, they have an agreement with EBay inc., which actively supports their ethnic discrimination.
EBay's actions destroyed my reputation among thousands of people in the world.
Upon above information, Plaintiff respectfully requests that this Court disregard all arguments of EBay inc., which are not based on documents of this civil rights case.
The complaint cannot be dismissed as to EBay (under Rule 12(b)(3),12(b)(6), section 230), because Plaintiff filed documents, which prove the primarily collusion and cooperation in the ethnic discrimination issue between EBay inc. and Ace coins.
All defendants demonstrated active ethnic discrimination policy in this civil rights case.
Plaintiff would like to ask about court hearing in District of Utah, central division.

Signed: T Nazaruk **Tetyana Nazaruk**